



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

JHK:DCL:MMO

*610 Federal Plaza  
Central Islip, New York 11722*

October 15, 2021

Honorable Joseph F. Bianco  
United States Circuit Judge  
Court of Appeals for the Second Circuit  
Long Island Federal Courthouse  
Central Islip, New York 11722

Re: United States v. Kenner and Constantine  
No. CR-13-607 (S-2) (JFB)

Dear Judge Bianco:

The government respectfully submits this letter to request an adjournment of the status conference currently scheduled for October 19, 2021. Since the status conference held on August 25, 2021, counsel for Danske Bank, Silverpeak and the government have discussed and negotiated substantive changes to the previously agreed upon settlement terms and have exchanged several drafts of a stipulation of settlement. As of today, the parties have reached an agreement in principle subject to further government supervisory review and approvals. The government thus requires additional time to seek approval from the necessary government officials before finalizing the settlement. Under these circumstances, the government respectfully requests at least a three-week adjournment of the status conference, presently scheduled for October 19, 2021, to a date convenient to the Court.

Respectfully submitted,

JACQUELYN M. KASULIS  
Acting United States Attorney

By: /s/ Diane C. Leonardo  
Madeline O'Connor  
Diane C. Leonardo  
Assistant U.S. Attorneys  
(631) 715-7870  
(631) 715-7854

cc: All counsel of record by ECF